§ 1926.95

(4) Alternate use permitted. Automobile refinishing spray booths or enclosures, otherwise installed and maintained in full conformity with this section, may alternately be used for drying with portable electrical infrared drying apparatus when conforming with the following:

(i) Interior (especially floors) of spray enclosures shall be kept free of overspray deposits.

(ii) During spray operations, the drying apparatus and electrical connections and wiring thereto shall not be located within spray enclosure nor in any other location where spray residues may be deposited thereon.

(iii) The spraying apparatus, the drying apparatus, and the ventilating system of the spray enclosure shall be equipped with suitable interlocks so arranged that:

(a) The spraying apparatus cannot be operated while the drying apparatus is inside the spray enclosure.

(b) The spray enclosure will be purged of spray vapors for a period of not less than 3 minutes before the drying apparatus can be energized.

(c) The ventilating system will maintain a safe atmosphere within the enclosure during the drying process and the drying apparatus will automatically shut off in the event of failure of the ventilating system.

(iv) All electrical wiring and equipment of the drying apparatus shall conform with the applicable sections of Subpart S of this part. Only equipment of a type approved for Class I, Division 2 hazardous locations shall be located within 18 inches (45.72 cm) of floor level. All metallic parts of the drying apparatus shall be properly electrically bonded and grounded.

(v) The drying apparatus shall contain a prominently located, permanently attached warning sign indicating that ventilation should be maintained during the drying period and that spraying should not be conducted in the vicinity that spray will deposit on apparatus.

[58 FR 35149, June 30, 1993]
(2) The employer is not required to pay for non-specialty safety-toe protective footwear (including steel-toe shoes or steel-toe boots) and non-specialty prescription safety eyewear, provided that the employer permits such items to be worn off the job-site.

(3) When the employer provides metatarsal guards and allows the employee, at his or her request, to use shoes or boots with built-in metatarsal protection, the employer is not required to reimburse the employee for the shoes or boots.

(4) The employer is not required to pay for:
   (i) Everyday clothing, such as long-sleeve shirts, long pants, street shoes, and normal work boots; or
   (ii) Ordinary clothing, skin creams, or other items, used solely for protection from weather, such as winter coats, jackets, gloves, parkas, rubber boots, hats, raincoats, ordinary sunglasses, and sunscreen.

(5) The employer must pay for replacement PPE, except when the employee has lost or intentionally damaged the PPE.

(6) Where an employee provides adequate protective equipment he or she owns pursuant to paragraph (b) of this section, the employer may allow the employee to use it and is not required to reimburse the employee for that equipment. The employer shall not require an employee to provide or pay for his or her own PPE, unless the PPE is excepted by paragraphs (d)(2) through (d)(5) of this section.

(7) This section shall become effective on February 13, 2008. Employers must implement the PPE payment requirements no later than May 15, 2008.

NOTE TO §1926.96(d): When the provisions of another OSHA standard specify whether or not the employer must pay for specific equipment, the payment provisions of that standard shall prevail.

§1926.96 Occupational foot protection.

Safety-toe footwear for employees shall meet the requirements and specifications in American National Standard for Men's Safety-Toe Footwear, Z41.1–1967.

58 FR 35152, June 30, 1993

§1926.97 Electrical protective equipment.

(a) Design requirements for specific types of electrical protective equipment. Rubber insulating blankets, rubber insulating matting, rubber insulating covers, rubber insulating line hose, rubber insulating gloves, and rubber insulating sleeves shall meet the following requirements:

   (1) Manufacture and marking of rubber insulating equipment. (i) Blankets, gloves, and sleeves shall be produced by a seamless process.
   (ii) Each item shall be clearly marked as follows:
      (A) Class 00 equipment shall be marked Class 00.
      (B) Class 0 equipment shall be marked Class 0.
      (C) Class 1 equipment shall be marked Class 1.
      (D) Class 2 equipment shall be marked Class 2.
      (E) Class 3 equipment shall be marked Class 3.
      (F) Class 4 equipment shall be marked Class 4.
      (G) Nonozone-resistant equipment shall be marked Type I.
      (H) Ozone-resistant equipment shall be marked Type II.
   (i) Other relevant markings, such as the manufacturer's identification and the size of the equipment, may also be provided.
   (ii) Markings shall be nonconducting and shall be applied in such a manner as not to impair the insulating qualities of the equipment.
   (iv) Markings on gloves shall be confined to the cuff portion of the glove.

   (2) Electrical requirements. (i) Equipment shall be capable of withstanding the ac proof-test voltage specified in Table E–1 or the dc proof-test voltage specified in Table E–2.
      (A) The proof test shall reliably indicate that the equipment can withstand the voltage involved.
      (B) The test voltage shall be applied continuously for 3 minutes for equipment other than matting and shall be applied continuously for 1 minute for matting.